IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 4742 of 2004

Dated: 23-08-2005

Between:

1 K.A.H.Ali (Abdul Hasan Ali) HC/GO, S/o.K.A.Kazith Mohideen Muslim
R/o.Central Industrial Security Force Unit , H.WP.Manuguru Aswanpuram

Post, Khammam District.
2 M.V.Reddy, Head Constable/GO S/o.Muni Reddy Hindu,

R/o.Qtrs.No.12/5/69
Central Industrial Security Force Unit , H.WP.Manuguru Aswanpuram Post,

Khammam District.
3 D.N.Mishra, Head Constable, S/o.R.D.Mishra Hindu
R/o. Central Industrial Security Force Unit, H.W.P Manugur, Aswapuram

Post, Khammam District.
4 P.Madhyanm, HC/GO, S/o.Parumal, Hindu
R/o. Central Industrial Security Force Unit, H.W.P Manugur, Aswapuram

Post, Khammam District.
5 C.R.Gowda, HC/GO, S/o.Manjappa Gowda, Hindu
R/o. Central Industrial Security Force Unit, H.W.P Manugur, Aswapuram

Post, Khammam District.
6 S.R.S.Reddy, Constable, S/o.S.Krishna Reddy, R/o.Qtrs.No.8-13/5/75,
R/o. Central Industrial Security Force Unit, H.W.P Manugur, Aswapuram

Post, Khammam District.
7 H.Somasekhar, Constable, S/o.late Veerayya, Hindu
R/o. Central Industrial Security Force Unit, H.W.P Manugur, Aswapuram

Post, Khammam District.
8 R.N.Kumar, Constable, S/o.Late N.Raghavan Pillain Hindu,

R/o.Qtrs.No.A2/2,
R/o. Central Industrial Security Force Unit, H.W.P Manugur, Aswapuram

Post, Khammam District.
9 A.K.Shajan,Constable, S/o.A.K.Kumar, Hindu, R/o.Qtrs.No.A15/163,
R/o. Central Industrial Security Force Unit, H.W.P Manugur, Aswapuram

Post, Khammam District.
10 Md.Sajid, Constable, S/o.late Md.Dastagir Muslim,, R/o.'A'Colony
R/o. Central Industrial Security Force Unit, H.W.P Manugur, Aswapuram

Post, Khammam District.

..... PETITIONERS

AND

1 The Commandant, Central Industrial Security Force, Ministry of Home Affairs, CISF Complex, NFC,ECIL Post,
Hyderabad.
2 The Director General/Head Quarters, Central Industrial Security Force, Lodhi Road, New Delhi.

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ORDER:

The matter in the present writ petition is squarely covered by the order passed in W.P.No.22753 of 2004, dated 20-06-2005. Hence this writ petition is also disposed of following the order passed in the said writ petition.

Therefore, without going into the merits of the case, the writ petition is disposed of with a direction to the respondents to take appropriate decision on the representation that may be filed by the petitioners under Rule 56 of C.I.S.F. Rules, 2001 and the same shall be disposed of after giving reasonable opportunity to the petitioners within four weeks from the date of filing of such representation. In the meanwhile, the interim order dated 12-3-2004 granted by this Court is vacated. No costs.

(K.C.BHANU, J.)

23rd August, 2005.

mrb

The writ petition is filed to declare the action of the 1st respondent in withdrawing the Assured Career Progression benefit Scheme given to the petitioners and ordering for recoveries of the amounts paid to the petitioners under the said scheme, which were already recovered by the 1st respondent herein basing on the vide proceedings No.E-/HWP(M)NFC(H)ADM.I/2004/500(CISF Unit NFC, Hyderabad Service Order Part-I No.9/2004), dated 3-2-2004 and proceedings No.E-42099/HWP(M/NFC(H)/ADM.I/2004/501 (CISF Unit NFC, Hyderabad Service Order Part-I No.10/2004) dated 3-2-2004 which is based on the proceedings Force Head Quarters Lr.No.E-42099/17/2002/Estt.II/353, dated 7-11-2003 of the 2nd respondent as arbitrary and illegal.

Heard the learned counsel for the petitioner and the learned Standing Counsel for Central Government.

Admittedly, alternative remedy by filing application under Rule 56 of CISF Rules, 2001 is available to the petitioners so as to bring it to the notice of the higher officials to seek redressal of the grievance.